

**SUMMARY OF PUBLIC MEETING  
FOR THE CORRECTIONS OFFICER RETIREMENT PLAN LOCAL BOARD  
FOR THE SUPERIOR COURT**

A Public Meeting of the Corrections Officer Retirement Plan Local Board for the Superior Court was convened, Wednesday, June 16, 2010, at 10:00 a.m., in Conference Room 332, Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

**Present at the meeting were the following individuals:**

Jim Bruner, Chair	Jason Hathcock, Board Member	Lu McLendon, Secretary
Phil Hanley, Board Member	Mark Smalley, Board Member	Leticia Chavez, Recorder
Kevin Kluge, Board Member	Michael Anthony, Attorney	Court Reporter (AVTranz)

**Call to Order**

Local Board Chair, Jim Bruner, called the meeting to order at 10:00 a.m. Wednesday, June 16, 2010 at the Arizona Supreme Court Building, 1501 West Washington Street, Phoenix, Arizona.

**Approval of the Minutes**

- a. May 27, 2010 Public Meeting Minutes (AVTranz)
- b. May 27, 2010 Public Meeting Minutes Summary
- c. May 27, 2010 Executive Session Minutes Summary

The Chair called for any corrections or additions to the minutes.

**MOTION:** A motion for approval of the May 27, 2010 Public Meeting Minutes and Public and Executive Meeting Summary was made by K. Kluge. Motion was seconded and passed minutes stand approved. **CORP 2010-28**

**Disability Benefits** – The Local Board may vote to go into Executive Session for discussion of medical documentation and to receive legal advice for the following Disability applications pursuant to A.R.S.38- 431 (A) (2 & 3).

- a. #09-04 - Re-hearing/approval of benefits

A letter dated April 27, 2010 was received from the Public Safety Personnel Retirement System (PSPRS) requesting a rehearing of #09-04 to address the question of whether or the not the applicant has a pre-existing condition. At the May 27, 2010 the Board determined to request clarification from Dr. Ira Ehrlich regarding whether the claimant's condition existed prior to membership in CORP. The Board received a letter from Dr. Ira Ehrlich dated June 8, 2010 providing clarification of pre-existing condition; in his letter Dr. Ehrlich states "There was certainly no evidence that she had anything in the way of significant coronary artery disease until her episode in January of 2009 which created her disability. The fact that we all have arteriosclerotic plaques in our coronary arteries, I do not believe, represents what I would consider to be a pre-existing disease". Based on Dr. Ehrlich's report the Board determined the applicant met the statutory requirements for Ordinary Disability A.R.S 38-886.0, and voted to approve disability retirement and payment of benefits.

**MOTION: A motion for approval of ordinary disability application #09-04 and approval of Benefits for applicant #09-04 was made by Board member J. Hathcock. Motion was seconded and passed unanimously. CORP 2010-29**

b. #09-03 – Revision of date of disability

The Local Board approved applicant #09-03's application for Accidental Disability Retirement benefits at the May 27, 2010 meeting. The Local Board Secretary brought to the Board's attention that the date of disability on the original application would need to be revised to reflect the date of disability for which the applicant received board approval. The Board agreed that the correct date of disability should be changed to April 7, 2009. It was also discussed that this date would not change the date of eligibility which is August 18, 2009, the date of termination from employment. According to statutes the date of termination determines the date of eligibility. Applicant 09-03 date of eligibility for benefits remains September 1, 2009.

**MOTION: A motion to revise the date of disability to reflect the current date of disability, April 7, 2009, for applicant #09-03 was made by M. Smalley. Motion was seconded and passed unanimously. CORP 2010-30**

c. #10-01 – Review Independent Medical Evaluation/Approval of benefits

A completed IME dated May 19, 2010 from Dr. Laura A. Don, AZ Behavioral Health Specialist, was received by the Local Board office on May 27, 2010. Upon reviewing the completed IME, the Board noted the following comments from Dr. Don: (1) The IME reflects that the applicant does not have a current condition that prevents her from engaging in any substantial gainful activity. (2) The applicant condition existed prior to membership in CORP (July 1 2007). (3) The prognosis is favorable that the applicant is able to seek employment. Based on the IME the Board determined the applicant does not meet the statutory requirements for Ordinary Disability A.R.S 38-886.01.

**MOTION: A motion to deny Disability Application #10-01 based on the IME evidence was made by K. Kluge. Motion was seconded and passed unanimously. CORP 2010-31**

**Approval of Normal Retirement** – The Local Board may consider and vote on the approval of Normal Retirement benefits and Reverse DROP Lump Sum benefits for the following applications or defer decision to a later date.

- a. David Bernheim (pending signed C12)
- b. Diane Denowh/Reverse DROP Lump Sum (pending signed C12)
- c. Jerliyn Humpherys (pending signed C12)
- d. Leroy Lerchen (Pending signed C12)

**MOTION: A motion to approve payment of benefits, pending receipt of the signed C12 for applications (a-d) for Normal Retirement was made by J. Hathcock.** Motion was seconded and passed unanimously. **CORP 2010-32**

**Approval of Lump Sum Reverse DROP benefit** – The Local Board may consider and vote on the approval of the Lump Sum Reverse DROP benefits for the following Reverse DROP Retirements applications approved March 31, 2010 or defer decision to a later date.

- a. Michael Goss
- b. Mary Tripson
- c. Jon Wiley

**MOTION: A motion to approve the Lump Sum DROP benefits calculated by PSPRS for applications (a-d) for Reverse DROP Retirement benefits was made by P. Hanley.** Motion was seconded and passed unanimously. **CORP 2010-33**

**PSPRS Re-calculation of benefits for Normal Retirements with 80pts./Revised C12's** – The Local Board may vote on and approve the amended benefits amounts for the following Normal Retirement applications, previously approved by the Local Board, or defer to a later date.

As a result of an error in the spreadsheet, provided by PSPRS, which incorrectly calculated retirement for members with over 20 years but less than 25 years using the 80 point benefit formula, it was necessary for PSPRS to recalculate and adjust the benefit amount for the following members. The Board Secretary presented the revised calculations and C12's to the board for notation of the adjusted benefit amount by PSPRS and approval of the adjusted benefit.

- a. Maryanne Boyden - Normal application and C12 with revision approved by the Local Board March 31, 2010
- b. Thomas E. Paulos
- c. Louise M. Stanco
- d. Eugene H. Riddle
- e. George M. Valadez Sr.
- f. David A. Franquero
- g. Karen L. Edwards
- h. Candace Dennis
- i. Ann M. Peters
- j. Sharla Kay Riley
- k. Marsha K. Price
- l. John M. Sutton

**MOTION: A motion to approve the adjusted benefit amounts for retirees (b-l) affected by the spreadsheet error was made by J. Hathcock.** Motion was seconded and passed unanimously. **CORP 2010-34**

**General Discussion**

- a. Expiration of attorney contract, June 30, 2010

The Local Board's Attorney contract will expire on June 30, 2010. The Board Secretary explained that Mr. Anthony's contract was previously extended one year due to the fact that he was representing the Board on a legal matter. She also stated that Procurement Policies require the Local Board go out to bid to select an Attorney. As a result, with the current contract expiring June 30, 2010 the Board agreed to extend Mr. Anthony's contract on a month-to-month basis until the procurement process is complete. The Chair asked if Mr. Anthony would continue with his contract on a month-to-month basis at the same rate until the procurement process is complete. Mr. Anthony agreed. The Board requested the Board Secretary contact the Procurement Office to amend the current contract. She was also advised to begin the bidding process.

**MOTION: A motion to extend the Attorney contract on a month to month basis until the procurement process is complete was made by K. Kluge.** Motion was seconded and passed unanimously. **CORP 2010-35**

**Call to Public**

No public present

Summary Transcribed June 16, 2010